

Notice of Allowability

Application No.

09/576,754

Examiner

Joshua D. Campbell

Applicant(s)

ADLER ET AL.

Art Unit

2178

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Appeal Brief filed on 3/29/2006.
2. ☒ The allowed claim(s) is/are 1-20 and 22-35.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This action is responsive to communications: Appeal Brief filed on 3/29/2006.
2. Claims 1-20 and 22-35 are pending in this case. Claims 1, 8, 15, 22, 28, 31, and 34 are independent claims.
3. The rejection of claims 15-18, 20, 22-23, and 25-27 under 35 U.S.C. 103(a) as being unpatentable over Collins et al. (US Patent Number 5,781,714, issued on July 14, 1998) in view of Lipton (US Patent Number 5,940,581, issued on August 17, 1999) has been withdrawn due to arguments presented in the appeal brief.
4. The rejection of claims 1-14 and 28-35 under 35 U.S.C. 103(a) as being unpatentable over Simon et al. (US Patent Number 6,065,008, filed on October 1, 1997) in view of Collins et al. (US Patent Number 5,781,714, issued on July 14, 1998) further in view of Lipton (US Patent Number 5,940,581, issued on August 17, 1999) has been withdrawn due to arguments presented in the appeal brief.
5. The rejection of claims 19 and 24 under 35 U.S.C. 103(a) as being unpatentable over Collins et al. (US Patent Number 5,781,714, issued on July 14, 1998) in view of Lipton (US Patent Number 5,940,581, issued on August 17, 1999) as applied to claims 8, 15, and 22 above, and further in view of Simon et al. (US Patent Number 6,065,008, filed on October 1, 1997) has been withdrawn due to arguments presented in the appeal brief.

REASONS FOR ALLOWANCE

6. The following is an examiner's statement of reasons for allowance:

Regarding independent claim 15, none of the references, either singularly or in combination, teach or suggest to a person of ordinary skill in the art at the time of the invention the amended features, "...a directive identifies a glyph sub-set including a set of glyphs identified in the modified electronic content and a pre-determined encoding scheme used to encode the set of glyphs; ...the electronic device sending at least one second request to the intermediate network device based on the one or more identified directives to request one or more glyph sub-sets to allow the electronic device to display the modified electronic content..." The examiner notes that while creating and transmitting font subsets in response to a request is not a novel feature (See Examiner Referenced Patents), in combination with the other limitations of the method steps and system functions of the independent claim (i.e. a directive identifies a glyph sub-set including a set of glyphs identified in the modified electronic content and a pre-determined encoding scheme used to encode the set of glyphs; ...the electronic device sending at least one second request to the intermediate network device based on the one or more identified directives to request one or more glyph sub-sets to allow the electronic device to display the modified electronic content) and the applicant's definition of a glyph not being a character, "In other words, two or more characters may share a common glyph, making a glyph subset smaller than a character subset. Because Lipton only discusses creating character subsets, it cannot be creating glyph subsets as recited in the present claims," (page 19, lines 14-17 of Applicant's Appeal

Brief filed on 3/29/2006), this definition by the applicant teaches that the applicant believes glyphs to be completely different than characters, thus the limitations of claim 15 and all other independent claims are considered novel, and unobvious to a person of ordinary skill in the art at the time the invention was made in view of the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua D. Campbell whose telephone number is (571) 272-4133. The examiner can normally be reached on M-F (7:30 AM - 4:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



JDC

May 11, 2006

STEPHEN HONG
SUPERVISORY PATENT EXAMINER